



Illinois Environmental Protection Agency • P.O. Box 19276, Springfield, IL 62794-9276

217/782-6760

Refer to: L1190400007 -- Madison County
Taracorp/NL Industries
Compliance

February 14, 1990

Mr. Brad Bradley (5HS-11)
USEPA Region V
230 South Dearborn
Chicago, Illinois 60604

Dear Mr. Bradley:

The recent discovery of an error in waste volume calculations and the resulting modification to preferred alternative H creates some additional considerations in terms of ARAR's.

Alternative H, as well as any alternatives involving the purchase of property are subject to the Responsible Property Transfer Act (Illinois Revised Statutes; Chapter 19; Paragraph 901).

Since alternative H involves an expansion of the waste pile it appears that the expansion would be subject to the RCRA minimum technology requirements of 35 Illinois Administrative Code 724.351 unless the requirements of 35 IAC 724.350(c) are met by the expansion. This is supported by USEPA Office of Solid Waste Directive No. 9523.00-17, page 7 (copy attached) which discusses lateral expansion during closure. Note also that the 40 CFR 268 Land Ban would also apply to the hazardous wastes deposited in the expansion.

Should you require additional information please contact me.

Sincerely,

Kenneth M. Miller, Project Manager
Federal Site Management Unit
Remedial Project Management Section
Division of Land Pollution Control

cc: Terry Ayers w/o att
Gary King
Division File